



U.S. Department of Justice

Tax Division

Trial Attorney: Harris J. Phillips
Attorney's Direct Line: 202-616-1906
Fax No.: 202-514-6770
Harris.J.Phillips@usdoj.gov

Please reply to: Civil Trial Section, Central Region
P.O. Box 7238
Washington, D.C. 20044

REZ:RSC:HJPhillips
DJ 5-52-20193
CMN 2017100350

August 7, 2018

VIA ECF FILING

The Honorable Denis R. Hurley
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Discovery Deadline
Estate of Richard Siegal v. United States, Case No. 2:16-cv-06411 (E.D.N.Y.)

Dear Judge Hurley:

Pursuant to your Individual Practice Rule 2.A., the United States and the Estate of Richard Siegal respectfully submit this joint letter seeking clarification of the discovery deadline in the above-referenced matter. The discovery schedule (Docket No. 29-1), made effective by Magistrate Judge Shields's order dated March 2, 2018, provides a fact discovery deadline of December 7, 2018, and an expert discovery deadline of March 8, 2019.

Recently the United States filed via ECF a letter requesting a pre-motion conference regarding the United States' anticipated motion for partial summary judgment. On August 2, 2018, this Court denied that request "as pre-mature in light of the extension of all discovery deadlines to **September 28, 2018**." The parties submit this letter to confirm that the discovery schedule set forth in Docket No. 29-1 continues to govern discovery in this case, and that the Court's August 2, 2018 order did not modify those deadlines.

//

//

//

//

//

//

Respectfully submitted,

/s/Steven M. Kaplan (w/permission)

STEVEN M. KAPLAN
ROSENFELD & KAPLAN, LLP
1180 Avenue of the Americas
Suite 1920
New York, NY 10036
(212) 682-1400
steve@rosenfelddlaw.com

Attorney for Plaintiff

/s/Jeremy L. Burkhardt

JEREMY L. BURKHARDT
HARRIS J. PHILLIPS
Massachusetts Bar #: 675603
GRETCHEN E. NYGAARD
District of Columbia Bar # 1006292
Trial Attorneys, Tax Division
U.S. Department of Justice
P.O. Box 7238, Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 616-1906 (HJP)
Telephone: (202) 353-7251 (JLB)
Telephone: (202) 305-1672 (GEN)
Fax: (202) 514-6770
Harris.J.Phillips@usdoj.gov
Jeremy.L.Burkhardt@usdoj.gov
Gretchen.E.Nygaard@usdoj.gov
Attorneys for the United States

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2018, I electronically filed the foregoing letter with the Clerk of Court using the CM/ECF system which will notify all registered participants, including:

Steven M. Kaplan
Adrianna Grancio
ROSENFELD & KAPLAN, LLP
1180 Avenue of the Americas
Suite 1920
New York, NY 10036
(212) 682-1400
steve@rosenfelddlaw.com
adrianna@rosenfelddlaw.com

Brian C. McManus
LATHAM & WATKINS LLP
200 Clarendon Street
John Hancock Tower, 27th Floor
Boston, MA 02116
(617) 486-6016
brian.mcmanus@lw.com

Stephen N. Shashy
Miriam L. Fisher
LATHAM & WATKINS LLP
555 Eleventh Street NW
Washington, DC 20004
(202) 637-1005
stephen.shashy@lw.com
miriam.fisher@lw.com

Elizabeth Anne Morris
LATHAM & WATKINS LLP
885 Third Avenue
New York, NY 10022
(212) 906-1200
elizabeth.morris@lw.com

Attorneys for Plaintiff

/s/Jeremy L. Burkhardt
JEREMY L. BURKHARDT
Attorney for the United States